

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION**

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SYLVIA BROWN-KING,

Plaintiff,

ORAL ARGUMENT REQUESTED

v.

Case No. 2:14-cv-2379-JTF-tmp

THE SERVICEMASTER COMPANY, LLC, *et al.*,

Defendants.

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**MOTION TO DISMISS**

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Pursuant to Fed. R. Civ. P. 12(b)(6), The ServiceMaster Company, LLC and American Home Shield Corporation (collectively “Defendants”) move the Court to dismiss Plaintiff’s First Amended Complaint for failure to state a claim upon which relief can be granted. In support of their Motion, Defendants rely upon the contemporaneously filed Memorandum of Facts and Law the entire record in this case.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that the Court enter an Order dismissing Plaintiff’s First Amended Complaint with prejudice in its entirety.

Respectfully submitted,

/s/ Paul E. Prather

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion to Dismiss was filed with the Court's ECF/CM system which contemporaneously served notice of filing on Plaintiff's attorney of record, Christina J. Thomas, this 12th day of September, 2014.

/s/ Paul E. Prather